APPENDIX A

APPEAL FROM THE UNITED STATES DISTRICT COURT for the Eastern District of Texas Tyler Division 79-00029-07 Docket no. TY-79-29-CR (7)

United States of America
vs.
Defendant: TOM WELCH

JUDGMENT AND PROBATION / COMMITMENT ORDER

In the presence of the attorney for the government the defendant appeared in person on this date: January 3, 1980.

COUNSEL:
With Counsel: Dale Long, Tyler, Texas adn John M. Smith, Longview, Texas.

PLEA: not guilty

There being a verdict of GUILTY, as to counts 3, 4 and 5 of the Indictment.

FINDING & JUDGMENT:
Defendant has been convicted as charged of the offense(s) of - conducting the affairs of the Sheriff's Dept. of Gregg Co., Texas, as Sheriff, through a pattern of racketeering activities, including conspiracy to commit murder, accepting bribes & facilitating illegal gambling activities in vio. of 18 USC 1962 (c) and conspiring to obstruct enforcement of the criminal laws of the State of Texas as to illegal gambling activities as set out in counts 3 and 4 of the indictment in vio. of 18 USC 1511.

SENTENCE OR PROBATION ORDER:
The court asked whether defendant had anything to

say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

As to Count 3 of the Indictment - Five (5) years which Defendant is to serve

As to Count 4 of the Indictment - Five (5) years which Defendant is to serve, said sentence to run consecutively with sentence in Count 3.

As to Count 5 of the Indictment - Ten (10) years to serve, said sentence to run concurrent to sentences in Counts 3 and 4.

FILED: Jan. 3, 1980

ADDITIONAL CONDITIONS OF PROBATION:
In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION:
The court orders commitment to the custody of the Attorney General and recommends, The Court recommends that Defendant be allowed to serve said sentences in 1 of 3 places: FCI, Ft. Worth, Texas, Maxwell Field, Alabama, or Elgin Field, Florida.

Defendant allowed until January 21, 1980 at 9:00 a.m.

to report to U.S. Marshal, Tyler Texas, to begin serving said sentence.

Signed By: U.S. District Judge William M. Steger
Date: 1-3-80

Deputy: KATHERYN HETHERLY
Date: 1-10-80

APPENDIX B

IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT*

Unit A

NO. 80-1044

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

versus

TOM WELCH, CHARLES CASHELL, WILLIAM L. SATTERWHITE and JAMES M. COCHRAN,
Defendants-Appellants.

FILED: illegible 8, 1981

Appeal from the United States District Court for the Eastern District of Texas

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ON PETITIONS FOR REHEARING AND SUGGESTION FOR REHEARING EN BANC
(Opinion 9/21/81, 5th Cir. 198___, _____F.2d_____).

(November 2, 1981)

Before WISDOM, POLITZ, and SAM D. JOHNSON, Circuit Judges.

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*Former Fifth Circuit case, Section 9(1) of the Public Law 96-452- October 14, 1980.

PER CURIAM:

( ) The Petition for Rehearing is DENIED and no member of this panel nor Judge in regular active service on the Court having requested that the Court be polled on rehearing en banc, (Rule 35 Federal Rules of Appellate Procedure; Local Fifth Circuit Rule 16) the Suggestion for Rehearing En Banc is DENIED.

ENTERED FOR THE COURT:

/S/ SAM D. JOHNSON

United States Circuit Judge

Form 704-2